

FROM VENABLE LLP VIENNA VA

DATE (THU) : 5. 25.06 17:34/ST. 17:33/NO. 4862865833 P 4

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2016 MAY 26 Fri 4:15

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US PATENT & TRADEMARK  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 25 2006

In re application of:

Atty. Docket No.: 36507-193188

SOHL, John et al.

Art Unit: 1743

Appln. No.: 10/666,558

Confirmation No.: 5541

Filed: September 22, 2003

Examiner: MOSS, Keri A.

For: **ENHANCED SUBSURFACE  
SCANNING SYSTEM, METHOD  
AND COMPUTER PROGRAM  
PRODUCT**

Customer No.  
26694  
PATENT TRADEMARK OFFICE

## REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for a refund, in the amount of \$510.00, which should be applied to Deposit Account No. 22-0261.

On March 27, 2006, Applicant filed an Amendment and a Petition for (a 3-month) Extension of Time (copy attached for your reference), authorizing payment of the extension fee to be charged to our Deposit-Account No. 22-0261 at the SMALL entity rate. The fee was deducted from our Deposit Account No. 22-0261 on March 29, 2006 at the LARGE entity rate.

Attached with this filing is a copy of our Deposit Account Statement, showing the deduction of \$1,020 on March 29, 2006. It is respectfully requested that \$510 be credited to our Deposit Account No. 22-0261, and acknowledgement of such credit be issued by the PTO.

FROM VENABLE LLP VIENNA VA

(THU) 5.25'06 17:35/ST. 17:33/NO. 4862865833 P 5

2001 Available Copy

Applicants: SOHL, John et al.  
Appln. No.: 10/666,558  
Attorney Docket: 36507-193188

Respectfully submitted,



Ralph P. Albrecht  
Registration No. 43,466

VENABLE LLP  
P.O. Box 34385  
Washington, D.C. 20043-9998  
Telephone: (703) 760-1681  
Telefax : (202) 344-8300

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- 2 -

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FROM VENABLE LLP VIENNA VA

(THU) 5.25'06 17:35/ST. 17:33/NO. 4862865833 P 6

# COPY

Docket No.: 36507-193188  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Sohl et al.

Application No.: 10/666,558

Confirmation No.: 5541

Filed: September 22, 2003

Art Unit: 1743

For: ENHANCED SUBSURFACE SCANNING  
SYSTEM, METHOD AND COMPUTER  
PROGRAM PRODUCT

Examiner: MOSS, Keri A.

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

#### MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### INTRODUCTORY COMMENTS

In response to the Non-final Office Action dated September 27, 2005, please amend the above-identified U.S. patent application as follows:

- Amendments to the Specification begin on page 2.
- Amendments to the Claims are reflected in the listing of claims which begins on page 4.
- Remarks begin on page 13.

Applicant hereby petitions for a 3 month extension of time, and \$180 fee for the filing of the accompanying Information Disclosure Statement and authorizes charging Deposit Account No. 22-0261, at the small entity rate. However, if the Patent Office deems that any other fees are necessary, authorization is hereby granted to charge any other required fees to Deposit Account No. 22-0261 and Applicant respectfully requests notice to the undersigned.

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FROM VENABLE LLP VIENNA VA

(THU) 5. 25' 06 17:35/ST. 17:33/N0. 4862865833 P 7

# COPY

PTO/SB/22 (10-00)  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Docket Number (Optional)  
36507-193188

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)											
In re Application of John SOHL et al.											
Application Number 10/666,558 Filed September 22, 2003											
For ENHANCED SUBSURFACE SCANNING SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT											
Group Art Unit 1743	Examiner K. Moss										
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table><tr><td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td>\$ _____</td></tr><tr><td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td>\$1,020.00</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td>\$ _____</td></tr></table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 510.00</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 22-0261.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input type="checkbox"/> attorney or agent of record.</p> <p><input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a), <u>43,466</u>.</p>		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,020.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____										
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____										
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,020.00										
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____										
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____										

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

March 27, 2006

Date



Signature

Ralph P. Albrecht

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of 1 forms are submitted.

**VENABLE**  
ATTORNEYS AT LAW

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FROM VENABLE LLP VIENNA VA  
Deposit Account Statement

(THU) 5. 25' 06 17:36/ST. 17:33/N0. 4862865833 P 8

Page 15 of 17

COPY

03/28 150	10017568	31894-192401	8021	\$40.00	\$97,849.06
03/28 165	76657324	12242-229817	6001	\$375.00	\$97,274.06
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03/29 13	10547289	43315-222806	1615	\$550.00	\$94,309.06
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03/30 28	PCT/US06/10505	31121-227295	1704	\$1,871.00	\$83,853.06
03/30 29	PCT/US06/10505	31121-227295	1701	\$1,008.00	\$82,845.06
03/30 30	PCT/US06/10505	31121-227295	1703	\$504.00	\$82,341.06
03/30 31	PCT/US06/10505	31121-227295	8007	\$40.00	\$82,301.06
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03/30 71	60776237	32405-225859	8021	\$40.00	\$82,121.06
03/30 96	2003445	41511-229828	8521	\$40.00	\$82,081.06
03/30 97	2411879	41511-229829	8521	\$40.00	\$82,041.06

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## FAX TRANSMISSION

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MAY 25 2006

DATE: May 25, 2006

PTO IDENTIFIER: Application Number 10/666,558 - Conf. No. 5541  
Patent Number

Inventor: SOHIL, John et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: VENABLE LLP

Ralph P. Albrecht

PHONE: (703) 760-1681

Attorney Dkt #: 36507-193188

PAGES (Including Cover Sheet): 8

CONTENTS:

- Request for Refund (2 pages)
- Copy of 1<sup>st</sup> page of Amendment filed March 27, 2006 (1 page)
- Copy of Petition for (3-mo.) Extension of Time filed March 27, 2006 (1 page)
- Copy of Deposit Account Statement dated April 4, 2006 (1 page)
- Yellow filing receipt (1 page)
- Certificate of Transmission (1 page)

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VENABLE LLP  
P.O. Box 34385, Washington, DC 20043-9998  
Telephone: (202) 344-4000 Facsimile: (202) 344-8300

754616

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FROM VENABLE LLP VIENNA VA

(THU) 5.25'06 17:34/ST. 17:33/NO. 4862865833 P 3

Attorney/LA: \_\_\_\_\_  
PTO Due Date: \_\_\_\_\_

Date Filed May 25, 2006

**133102**

Variable Filing Number

Atty. Docket No: 36507-193188  
Re: SOHL, John et al.  
Application No: 10/868,558  
Patent No.: \_\_\_\_\_  
Trademark: \_\_\_\_\_  
Opposition/Cancellation No: \_\_\_\_\_

Filing Date: September 22, 2003  
Issue Date: \_\_\_\_\_  
Trademark Reg. No: \_\_\_\_\_

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The following items were received from Venable, Washington, D.C., by the U.S. Patent &amp; Trademark Office:

**U.S. PTO FEES ENCLOSED**

<input checked="" type="checkbox"/> Request for Refund (2 pages) (+3 pages of supporting documents)	Application Filing Fee
<input checked="" type="checkbox"/> FAX Transmission to USPTO (1 page)	Search Fee
<input checked="" type="checkbox"/> Certificate of Transmission Under 37 CFR 1.8 (1 pages)	Examination Fee
<input checked="" type="checkbox"/> Yellow filing receipt (1 page)	Additional Claim Fee ( <u>  </u> extra claims over 20)
<input type="checkbox"/> Declaration for Utility Application (    pages)	
<input type="checkbox"/> Fee Transmittal (SB/17) (    page)	
<input type="checkbox"/> Return Postcard	
<input type="checkbox"/> Rule 53(d) Continued Prosecution Application	
<input type="checkbox"/> Substitute Specification	
<input type="checkbox"/> Rule 53(b) Continuation or Divisional Application (attach copy of specification, claims, drawings & declaration)	Extension Fee
<input type="checkbox"/> Priority Document-Cert. Copy of Appn No.	Notice of Appeal Fee
<input type="checkbox"/> Request for Continued Examination (RCE) under 37 CFR 1.114 Copy of Notice to File Missing Parts dated February 22, 2005	Brief on Appeal Fee
<input type="checkbox"/> IDS w/ PTO SB/08 w/k/a PTO Form-1449 (1 reference)	Oral Hearing Request Fee
<input type="checkbox"/> Response to Election of Species	Petition Fee
<input type="checkbox"/> Amendment	Issue Fee
<input type="checkbox"/> Petition/Request for Extension of Time (    mo. ext.)	Maintenance Fee
<input type="checkbox"/> Notice of Appeal	TM Statement of Use
<input type="checkbox"/> Appeal Brief (in triplicate)	8 Affidavit Fee
<input type="checkbox"/> Request for Oral Hearing	8 and 15 Affidavit
<input type="checkbox"/> Confirmation of Hearing Petition	TM Renewal Application Fee
<input type="checkbox"/> Fee Transmittal	Notice of Opposition Fee
<input type="checkbox"/> Certificate of Correction	TM Publication Fee
<input type="checkbox"/> Maintenance Fee Transmittal	TM Extension of Time Fee
<input type="checkbox"/> Power of Attorney	
<input type="checkbox"/> Response to Notice to File Missing Parts	
<input type="checkbox"/> Response to Notice to File Missing Requirements	
<input type="checkbox"/> Response to Restriction Requirement	
<input type="checkbox"/> Petition to Revive	
<input type="checkbox"/> Sequence Listing - CDR Enclosed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Status Inquiry	
<input type="checkbox"/> Request for Non-Publication	
<input type="checkbox"/> Request to Rescind Non-Publication Request	
<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Other: (Please describe below)	

**Total Fees Paid** Charge Deposit Account No. 22-0261

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		PTO/SB/22 (10-06) U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Docket Number (Optional) 36507-193188										
<p>In re Application of John SOHL, et al..          Application Number 10/666,558      Filed September 22, 2003</p> <p>For ENHANCED SUBSURFACE SCANNING SYSTEM,          METHOD AND COMPUTER PROGRAM PRODUCT</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Group Art Unit 1743</td> <td style="width: 50%;">Examiner K. Moss</td> </tr> </table>			Group Art Unit 1743	Examiner K. Moss								
Group Art Unit 1743	Examiner K. Moss											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="width: 50%; text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: right;"><u>\$1,020.00</u></td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: right;">\$ _____</td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: <u>\$510.00</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>22-0261</u>.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71          Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input type="checkbox"/> attorney or agent of record.</p> <p><input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a).          Registration number if acting under 37 CFR 1.34(a) <u>43,466</u>.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p style="text-align: right; margin-top: 10px;">           Signature          Ralph P. Albrecht          Typed or printed name       </p> <p style="text-align: center; font-size: small; margin-top: 10px;">         NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. see below.  <input checked="" type="checkbox"/> *Total of 1 forms are submitted.       </p>			<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	<u>\$1,020.00</u>	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____											
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____											
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	<u>\$1,020.00</u>											
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____											
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____											

03/27/2006 10:36:38 PM (Eastern Standard Time) \* SVR:USPTO-EFXRF-3721 \* DMS:2738300 \* CSID:7037601951 \* DURATION (mm:ss) 00:38